

REMARKS

This is a full and timely response to the outstanding Office action mailed August 2, 2004. Upon entry of the amendment in this response, claims 1-28 are pending. More specifically, claim 10 is amended. This amendment is specifically described hereinafter. It is believed that the foregoing amendment adds no new matter to the present application.

I. Present Status of Patent Application

Claim 10 is rejected under 35 U.S.C. §102(e) as being anticipated by Pett (US Patent No. 6,314,181). Claims 11-12 and 14 are rejected under 35 U.S. C. §103(a) as allegedly being unpatentable over Pett (U.S. Patent No. 6,314,181) in view of Thiele (U.S. Patent No. 6,298,046). Claims 13 and 15-16 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Pett (U.S. Patent No. 6,314,181) in view of Sharpe *et al.* (U.S. Patent No. 4,539,566).

II. Miscellaneous Issues

Applicants wish to thank Examiner for the notification that claims 1-9 and 17-28 are allowed.

III. Rejections Under 35 U.S.C. §102(e)

The Office Action rejects claim 10 under 35 U.S.C. §102(e) as allegedly being anticipated by *Pett* (U.S. Patent No. 6,314,181). For the reasons set forth below, Applicants respectfully traverse the rejection.

Independent claim 10, as amended, recites:

10. An improved analog front end, comprising:
means for receiving a duplex signal transmission;
means for matching the effective impedance of a transmission line as seen at the analog front end in the absence of transmission line irregularities;
and
means for adaptively compensating with active circuitry for at least one bridged tap induced frequency notch in the transfer function identifying the analog front end.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

Applicants respectfully submit that independent claim 10 as amended is allowable for at least the reason that *Pett* does not disclose, teach, or suggest at least **means for adaptively compensating with active circuitry for at least one bridged tap induced frequency notch in the transfer function identifying the analog front end**. *Pett* discloses a means for compensating for a bridge tap induced frequency notch with set passive elements. There is no means for *adaptively* compensating with active circuitry. Notwithstanding, no such teaching can be identified anywhere within this reference. Therefore, *Pett* does not anticipate claim 10, and the rejection should be withdrawn.

IV. Rejections Under 35 U.S.C. §103(a)

A. Claims 11-12, and 14

The Office Action rejects claims 11-12 and 14 under 35 U.S.C. §103(a) as being unpatentable over *Prett* (U.S. Patent No. 6,314,181) in view of *Thiele* (U.S. Patent No. 6,298,046). For the reasons set forth below, Applicants respectfully traverse the rejection.

Because independent claim 10 is allowable over the prior art of record, dependent claims 11-12 and 14 (which depend from independent claim 10) are allowable as a matter of law for at least the reason that dependent claims 11-12 and 14 contain all the steps/features of independent claim 10. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 11-12 and 14 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 10, dependent claims 11-12 and 14 recite further features and/or combinations of features,

as are apparent by examination of the claims themselves, that are patently distinct from the prior art of record. Hence there are other reasons why dependent claims 11-12 and 14 are allowable.

B. Claims 13, 15, and 16

The Office Action rejects claims 13, 15, and 16 under 35 U.S.C. §103(a) as being unpatentable over *Pett* (U.S. Patent No. 6,314,181) in view of *Sharpe* (U.S. Patent No. 4,539,566). For the reasons set forth below, Applicants respectfully traverse the rejection.

Because independent claim 10 is allowable over the prior art of record, dependent claims 13, 15, and 16 (which depend from independent claim 10) are allowable as a matter of law for at least the reason that dependent claims 13, 15, and 16 contain all the steps/features of independent claim 10. See *Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 13, 15, and 16 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 10, dependent claims 13, 15, and 16 recite further features and/or combinations of features, as are apparent by examination of the claims themselves that are patently distinct from the prior art of record. Hence there are other reasons why dependent claims 13, 15, and 16 are allowable.

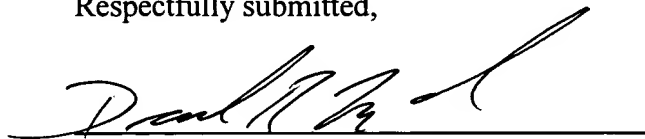
V. Cited Art Made of Record

The cited art made of record have been considered, but are not believed to affect the patentability of the presently pending claims. Other statements not explicitly addressed herein are not admitted.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-28 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel R. McClure', is written over a horizontal line.

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